IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WA.No. 1136 of 2007()

AGAINST THE ORDER IN WPC.6922/2007 Dated 13/04/2007
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APPELLANTS/RESPONDENTS IN W.P.(C):
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1. STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO GOVT., REVENUE DEPARTMENT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE THIRUVANANTHAPURAM.

3. THE REVENUE DIVISIONAL OFFICER, OFFICE OF THE R.D.O , THIRUVANANTHAPURAM.

4. THE TAHSILDAR,TAHSILDAR OFFICE, NEYYATTINKARA,THIRUVANANTHAPURAM.

5. THE ADDL.TAHSILDAR,TAHSILDAR OFFICE, NEYYATTINIKARA,THIRUVANANTHAPURAM.

6. THE VILLAGE OFFICER,VIZHINJAM VILLAGE OFFICE,THIRUVANANTHAPURAM.

7. THE VILLAGE OFFICER,THIRUVALLAM VILLAGE OFFICE,THIRUVANANTHAPURAM.

BY SR. GOVERNMENT PLEADER SRI D. ANILKUMAR.

RESPONDENT/.WRIT PETITIONER

MUTHOOT HOTEL PVT. LTD,(A&M HOTEL ENTERPRISES (P) LTD,REP, BY SENIOR MANAGER.

BY ADV. SRI.MILLU DANDAPANI.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 1136 OF 2007

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Dated this the 30th May, 2007

J U D G M E N T

H.L. Dattu, C.J.:

Challenging the interim order passed by this court on I.A.No. 5711 of 2007 in W.P.(C) No. 6922 of 2007, the State Government and its authorities are before us in this appeal.

2. This court while entertaining the Writ Appeal had granted an interim order, staying the orders passed by the learned single Judge on I.A. No. 5711 of 2007 in W.P.(C) No. 6922 of 2007, dated 13.04.2007.

3. The respondents have taken notice of appeal. They have entered appearance and they have also filed their counter.

4. After arguing the matter for quite some time and knowing the mind of the court, learned counsel appearing for the contesting respondent would submit that for the present, the interim order granted by this court in the Writ Appeal may be continued till W.P.(C) No. 6922 of 2007 itself is disposed of by this court.

5. In our view, the submission of the learned senior counsel Shri K.P. Dandapani is not only fair but also very reasonable and if it is granted, it would not cause any prejudice or any inconvenience to the appellants in this appeal. Therefore, without going into the merits or de-merits of the orders passed by the

learned single Judge on I.A.No. 5711 of 2007 in W.P.(C) 6922 of 2007 dated 13.04.2007, this appeal is disposed of as under:

O R D E R

i) Writ Appeal is disposed of.

ii) The interim order granted by this court in the Writ Appeal will enure to the benefit of the appellants till the Writ Petition is disposed of by the learned single Judge.

iii) We request the learned single Judge to give an out of turn hearing, if a request is made by the petitioner.

iv) All other contentions of both the parties are left open.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

lk/DK